

House Judiciary Committee Amendment # 4

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 3210*

House Bill No. 3218

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-302, is amended by adding the following new subsection:

(g)

(1)

(A) Any agreement to provide supervision or other similar services to misdemeanor probationers that is entered into between the judge of a general sessions or trial court and an entity established to provide such services shall be reduced to an order of such court and made a record of the court. Such record of the court is open for public inspection and shall set out in general terms the responsibilities of the entity providing the services and the nature of the services to be provided.

(B) At least one (1) time each year an entity providing supervision services to misdemeanor probationers shall report the following to the appropriate county legislative body:

- (i) The names of all probationers supervised;
- (ii) The amount each probationer has paid to the entity;
- (iii) The total amount of funds paid to the entity during such year for providing such supervision services; and
- (iv) The amount of unpaid fines and court costs the entity has collected from probationers.

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The report of the entity to the county legislative body required by this subpart shall be open to the public for inspection.

(2) The following minimum education standards shall be required for certain employees of an entity established for the purpose of supervising misdemeanor probationers:

(A) The chief executive officer of an entity offering probation supervision shall have at least four (4) years of administrative experience and/or shall have a bachelor of arts or bachelor of science degree from an accredited university.

(B) An employee responsible for providing probation supervision and employed by an entity shall have had at least four (4) years of experience in a criminal justice or social services agency providing counseling services or shall have a bachelor's degree and/or associates degree from an accredited college or university.

(C) A person employed on the effective date of this act by an entity established for the purpose of supervising misdemeanor probationers shall have four (4) years from such date to comply with the minimum education requirements established by this section.

(2) An entity seeking to provide misdemeanor probation supervisory services shall obtain a policy of general liability insurance in a sufficient amount to cover any claims or damages arising from the negligence or misconduct of

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officials or employees of such entity which may arise in the course of their duties.

Such policy shall provide coverage in an amount not less than is required by the

Tennessee Governmental Tort Liability Act in Tennessee Code Annotated,

Section 29-20-403(b)(2)(A). The provisions of this subpart shall not apply to an

entity that is covered by the provisions of the Tennessee Governmental Tort

Liability Act, codified in Tennessee Code Annotated, Title 29, Chapter 20.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.